UNITED
NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/AC.51/1997/L.4/Add.24
8 July 1997

ORIGINAL: ENGLISH

COMMITTEE FOR PROGRAMME AND COORDINATION
Thirty-seventh session
9 June-3 July 1997
Agenda item 8

DRAFT REPORT

Rapporteur: Mrs. Sharon BRENNEN-HAYLOCK (Bahamas)

Addendum

PROGRAMME QUESTIONS: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1998-1999 (item 4 (a))

Section 22. Human rights

1. At its 15th meeting, on 19 June 1997, the Committee considered section 22, Human rights, of the proposed programme budget for the biennium 1998-1999.

Discussion

2. A number of delegations expressed their support for the programme of work proposed in the section and emphasized that the promotion of human rights was one of the priorities of the United Nations in the medium-term plan for the period 1998-2001. Some concern at the reduction in resources was also expressed, as was the view that the level of the proposed resources would not be sufficient to implement all existing mandates. Some delegations considered that not all existing mandates had been sufficiently reflected in the programme of work. Several delegations were of the view that the level of funds should be increased through transfers from other budget sections. Others opposed any reallocation or transfer of resources, which could affect developmental activities of the United Nations.

3. Several delegations expressed concern and requested information on the new structure of the programme, which contains the former subprogrammes included in the current medium-term plan, as well as information on which were the criteria used for the resource allocations within subprogrammes. In those delegations'

view, the aforementioned will be indispensable for the General Assembly to make a serious examination of the budget proposal and make a decision to that effect.

4. Several delegations expressed concern at the low level of resources proposed for subprogramme 1 and considered that that subprogramme should have received more resources, in particular for activities related to the right to development, especially in view of the historical neglect of that right. Others observed that the activities regarding the right to development were adequately reflected in the proposed programme of work. Some delegations expressed concern at the reduction of resources under subprogrammes 2 and 3.

5. One delegation expressed concern at the low level of resources proposed for activities related to the implementation of the programme for the Decade to Combat Racism and Racial Discrimination, taking into account, in particular, the recommendation of the Commission on Human Rights, at its fifty-third session, for convening a world conference on the subject in the year 2001, at the latest.

6. A number of delegations questioned the criteria for the distribution of resources between policy-making organs, substantive activities and support services, as well as between and within subprogrammes. Some of those delegations considered that such information would be needed in order to facilitate the review of the budget proposals by the General Assembly and its decision thereon. Several delegations felt that in subprogrammes 1 and 3 more detailed information should have been provided on the resources for each component, such as the right to development and research and analysis under subprogramme 1, and advisory services and technical cooperation, fact-finding procedures and field activities under subprogramme 3.

7. Several delegations considered that too much emphasis had been placed on human rights at the national level and that the synergy of human rights at the international and national levels was not sufficiently highlighted. Several delegations considered that preventive human rights actions were not adequately reflected. Some felt that the economic, social and cultural rights were not sufficiently addressed. Several delegations rejected the specific reference made to the special and thematic procedures and to the mention of countries, owing to the fact that the Secretariat could not foresee if those mandates would be maintained for the next biennium. Those delegations deemed it a violation of provisions that established that the new mandates adopted by the General Assembly would be financed by the contingency fund. Likewise, those delegations pointed out that the presentation of the proposal led to the establishment of a contingency micro fund in the section, taking into account that the already mentioned activities could not be considered of a perennial nature. Other delegations emphasized that it was financially prudent to include full provision for those activities, and pointed out that in any event not all mandates were reviewed on an annual basis. Some delegations felt that the description of activities of the special rapporteurs and of the related reports was too detailed and should have been more general, without mention of countries by name.

8. Several delegations considered that the programme of work was well-balanced and supported the increase in resources for the Office of the United Nations High Commissioner for Human Rights, especially for the New York Office. Others

were concerned that the redeployment of resources to the Office of the High Commissioner would weaken the substantive programme of work of the Centre for Human Rights. One delegation expressed concern about the large increase in the personnel of the New York Office. It would be necessary to present a clear report on the tasks that these new staff members were to fulfil before any final decision in this regard was taken.

9. A number of delegations felt that the explanations given in paragraph 22.24 regarding the non-inclusion of resources for the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families should be redrafted in a more positive way so as to avoid giving the impression that a judgement had already been made that the respective Convention would not enter into force in the biennium 1998-1999. One delegation expressed its satisfaction with the paragraph as drafted.

10. Some delegations supported the activities of the Committee on Missing Persons in Cyprus, but considered that the level of resources proposed for the activities of the third member were excessive.

11. Recalling the provisions of General Assembly resolution 51/219, part II, paragraph 4, by which it adopted programme 19, Human rights, of the medium-term plan for the period 1998-2001, without prejudice to consideration by the Assembly of the ongoing process of restructuring the Centre for Human Rights of the Secretariat, some delegations considered that the appropriate intergovernmental analysis of the Centre's restructuring process had yet to be made. Other delegations considered that no such analysis was required. Several delegations expressed their support for the restructuring of the Centre for Human Rights. Other delegations considered that the restructuring of the Centre should be guided by the principles set out in the Vienna Declaration and Programme of Action and directed to the full implementation of all mandates.

12. Different delegations proposed the following modifications to the text of section 22:

(a) In paragraph 22.1:

(i) In the third line, the word "or" would be replaced with a comma and, in the fourth line, after the word "humanitarian" the words "educational and health" would be added;

(ii) The second sentence would be revised to read:

"International cooperation should be greatly enhanced and coordination and effectiveness of United Nations human rights machinery further increased. The programme ...";

(iii) A new sentence would be added after the first sentence to read:

"It is based on the [principles and] recommendations of the Vienna Declaration and Programme of Action";

(iv) In the second sentence, the words "improving respect ... more efficient" would be replaced with the following:

"providing leadership on human rights issues and emphasizing the importance of human rights on the international and national agendas, improving respect for human rights at the national level, through, inter alia, promoting universal ratification of basic international human rights treaties and the incorporation of those standards into the domestic legislation of States, the adoption of a comprehensive and integrated United Nations approach to the promotion and protection of human rights, including by stimulating and coordinating action across the whole United Nations system,";

(v) In the second sentence, the following would be inserted after the words "focuses on":

"measures to identify, inter alia, ways and means for adoption of a more balanced and even-handed approach towards the promotion and protection of all aspects of all human rights, in particular with due regard to bridging the persisting gap between civil and political rights and economic, social and cultural rights, as well as";

(vi) Also in the second sentence, the words "at the national level" would be replaced with the words "at the national and international levels";

(vii) Also in the same sentence, the word "all" would be inserted after the words "protection of";

(viii) Also in the same sentence, the word "all" would be inserted after the words "realization of";

(b) In paragraph 22.2:

(i) The words "and, subsequently" would be replaced with the phrase "which has been entrusted to the open-ended working group of the Third Committee by decision 48/508";

(ii) After the word "effectiveness" the words "in order to avoid any unnecessary duplication" would be inserted;

(c) In paragraph 22.3:

(i) The first sentence would be replaced by the following:

"In order to respond to new global and integrated approach to human rights based on the Vienna Declaration and Programme of Action, which emphasized the interrelated, interdependent and indivisible characters of all human rights, a restructuring and reorganizational process of the programme of human rights and the Centre for Human Rights, respectively, has been initiated. The scope and consequences of such a process have to be assessed and should be directed to the full

implementation of the objectives of the Vienna Declaration and Programme of Action";

(ii) The third sentence would be replaced by the following:

"The programme will be implemented through a provisional new management structure established in 1996 that is yet pending approval by the pertinent intergovernmental bodies";

(d) In paragraph 22.4:

(i) In the first sentence, after the words "research and analysis," the words "including dealing with emerging problems and developing new standards and instruments," would be added;

(ii) In the same sentence, the words "adoption of a multidimensional strategy for the right to development" would be replaced with the words "adoption and implementation of an integrated and multidimensional strategy for the promotion and protection of the right to development";

(e) In paragraph 22.5:

(i) In the first sentence, after the words "rule of law", the words "the establishment of national institutions," would be inserted;

(ii) In the second sentence, after the word "include", the words "anticipating serious violations of human rights and reacting to violations," would be inserted;

(iii) In the same sentence, the words "effective human rights field activities and operations" would be deleted;

(iv) Also in the same sentence, after the words "implementation of a strengthened", the words "rationalized and harmonized" would be inserted;

(v) At the end of the same sentence, the words "based on harmonization and rationalization of work" would be replaced with the words "in order to enable them to carry out their mandates in all countries throughout the world";

(f) Paragraph 22.24 would be replaced with the following:

"Resources for the Committee on the Protection of the Rights of all Migrant Workers and Members of Their Families in 1998-1999 will be submitted when the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families enters into force. Greater efforts will be made in promoting the implementation of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1998-1999";

(g) In paragraph 22.29:

(i) After the words "High Commissioner" the words "and the Centre for Human Rights" would be inserted;

(ii) In the second line, after the word "activities", the words "which have the relevant legislative mandates" would be inserted;

(h) In paragraph 22.33, the word "monitoring" would be replaced with the word "cooperation";

(i) In paragraph 22.37, at the end of the paragraph, after the words "human rights", the words "including dealing with emerging problems" would be added;

(j) Paragraph 22.37 would be revised to read:

"The activities carried out under this subprogramme will focus on: (a) developing an integrated and multidimensional strategy for the implementation, coordination and promotion of the Declaration on the Right to Development and subsequent mandates and the Vienna Declaration and Programme of Action, and (b) undertaking research and analysis for the purpose of promoting, enhancing and protecting all human rights, including the right to development";

(k) In the first sentence of paragraph 22.38, after the words "to be taken by", the words "relevant bodies of the United Nations system, including" would be inserted;

(l) In paragraph 22.40 (c) (i), the words "good governance" would be replaced with the words "accountable governance";

(m) In paragraph 22.53, the first sentence would end after the words "technical cooperation projects", and the words "provide support to human rights" would be replaced by the words "It also provides, at the request of governments concerned, where applicable, support to human rights";

(n) In paragraph 22.55:

(i) In the third line, before the word "information", the words "objective, impartial" would be inserted;

(ii) At the end of the first sentence, the words "taking duly into account the principles of objectivity, impartiality, non-selectivity and transparency in the use of information" would be added;

(o) In the third line of paragraph 22.56, the words "and others" would be deleted;

(p) In paragraph 22.57 (c):

(i) In subparagraph (i), after the word "coordination", the words ", in accordance with the relevant legislative mandates" would be inserted;

(ii) In subparagraph (ii), after the words "academic institutions", the words "which enjoy advisory relations with the Economic and Social Council, under its resolutions 1296 (XLIV) and 1996/31" would be inserted.

Conclusions and recommendations

13. The Committee was unable to reach agreement on a recommendation to the General Assembly that it approve the programme narrative of section 22, Human rights, of the proposed programme budget for the biennium 1998-1999. It therefore recommended to the Assembly that, when considering the proposed programme budget for the biennium 1998-1999, it review the programme narrative of section 22, paying due attention to the observations in paragraph 12 above.